



# PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION  
445 12th STREET S.W.  
WASHINGTON D.C. 20554

News media information 202-418-0500  
Fax-On-Demand 202-418-2830; Internet: <http://www.fcc.gov> (or <ftp.fcc.gov>)  
TTY (202) 418-2555

DA No. 07-598

Report No. TEL-01113

Thursday February 8, 2007

## INTERNATIONAL AUTHORIZATIONS GRANTED

### Section 214 Applications (47 C.F.R. § 63.18); Section 310(b)(4) Requests

The following applications have been granted pursuant to the Commission's streamlined processing procedures set forth in Section 63.12 of the Commission's rules, 47 C.F.R. § 63.12, other provisions of the Commission's rules, or procedures set forth in an earlier public notice listing applications accepted for filing.

Unless otherwise noted, these grants authorize the applicants (1) to become a facilities-based international common carrier subject to 47 C.F.R. § 63.22; and/or (2) to become a resale-based international common carrier subject to 47 C.F.R. § 63.23; or (3) to exceed the 25 percent foreign ownership benchmark applicable to common carrier radio licensees under 47 U.S.C. § 310(b)(4).

THIS PUBLIC NOTICE SERVES AS EACH NEWLY AUTHORIZED CARRIER'S SECTION 214 CERTIFICATE. It contains general and specific conditions, which are set forth below. Newly authorized carriers should carefully review the terms and conditions of their authorizations. Failure to comply with general or specific conditions of an authorization, or with other relevant Commission rules and policies, could result in fines and forfeitures.

An updated version of Sections 63.09–.25 of the rules, and other related sections, is available at <http://www.fcc.gov/ib/pd/pf/telecomrules.html>.

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**ITC-214-20061214-00564** E Affinity Mobile, L.L.C.

International Telecommunications Certificate

**Service(s):** Global or Limited Global Resale Service

Grant of Authority

Date of Action: 02/06/2007

Application for authority to provide service in accordance with Section 63.18(e)(2) of the rules.

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**ITC-214-20070111-00023** E Global Telecom Solutions, Inc.

International Telecommunications Certificate

**Service(s):** Global or Limited Global Facilities-Based Service, Global or Limited Global Resale Service

Grant of Authority

Date of Action: 02/02/2007

Application for authority to provide facilities-based service in accordance with Section 63.18(e)(1) of the rules, and also to provide service in accordance with Section 63.18(e)(2) of the rules.

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**ITC-214-20070115-00020** E

American Direct Lenders, Inc.

International Telecommunications Certificate

**Service(s):** Global or Limited Global Facilities-Based Service, Global or Limited Global Resale Service

Grant of Authority

Date of Action: 02/02/2007

Application for authority to provide facilities-based service in accordance with Section 63.18(e)(1) of the rules, and also to provide service in accordance with Section 63.18(e)(2) of the rules.

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**ITC-MOD-20070201-00056** P

Telstra Incorporated

Modification

Grant of Authority

Date of Action: 02/07/2007

Request to modify the compliance condition imposed on the international section 214 authorizations granted to Telstra Incorporated (Telstra USA), ITC-214-19970610-00320, ITC-214-19970610-00321, ITC-214-19960610-00238, ITC-214-19960610-00241, ITC-214-19960610-00240 (see ITC-T/C-20061204-00541, DA 07-55, rel. Jan. 11, 2007, granting transfer of control of Telstra USA conditioned on compliance with the provisions of a November 29, 2001 Agreement by and between Reach Ltd., Telstra Corporation Limited, and Pacific Century CyberWorks Limited, on the one hand, and the Federal Bureau of Investigation and the U.S. Department of Justice on the other hand (November 29, 2001 Agreement)). Specifically, Applicant requests that the Commission modify the compliance condition to refer to a January 8, 2007 side letter which amends and supplements the November 29, 2001 Agreement by making the U.S. Department of Homeland Security (DHS) a party to the November 29, 2001 Agreement as if it were an original signatory (January 8, 2007 Letter). Accordingly, we hereby modify the compliance condition imposed on the international section 214 authorizations granted to Telstra USA to refer to the January 8, 2007 Letter and make DHS a party to the November 29, 2001 Agreement. The November 29, 2001 Agreement and the January 8, 2007 Letter are publicly available in the record of this proceeding and may be viewed on the FCC web-site through the International Bureau Filing System (IBFS) by searching for ITC-MOD-20070201-00056 and accessing the "Attachment Menu" from the Document Viewing area.

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**ITC-MOD-20070201-00057** P

Reach Ltd.

Modification

Grant of Authority

Date of Action: 02/07/2007

Request to modify the compliance condition imposed on the international section 214 authorization granted to Reach Ltd., File No. ITC-214-20001228-00771, (DA 01-2833, rel. Dec 5, 2001 granting Reach Ltd. international section 214 authority conditioned on compliance with the provisions of a November 29, 2001 Agreement by and between Reach Ltd., Telstra Corporation Limited, and Pacific Century CyberWorks Limited, on the one hand, and the Federal Bureau of Investigation and the U.S. Department of Justice on the other hand (November 29, 2001 Agreement)). Specifically, Applicant requests that the Commission modify the compliance condition to refer to a January 8, 2007 side letter which amends and supplements the November 29, 2001 Agreement by making the U.S. Department of Homeland Security (DHS) a party to the November 29, 2001 Agreement as if it were an original signatory (January 8, 2007 Letter). Accordingly, we hereby modify the compliance condition imposed on the international section 214 authorization granted to Reach Ltd., File Nos. ITC-214-20001228-00771 and ITC-T/C-20061204-00544 (DA 07-55, rel. Jan. 11, 2007, granting transfer of control of Reach Ltd. on compliance with the provisions of the November 29, 2001 Agreement), to refer to the January 8, 2007 Letter and make DHS a party to the November 29, 2001 Agreement. The November 29, 2001 Agreement and the January 8, 2007 Letter are publicly available in the record of this proceeding and may be viewed on the FCC web-site through the International Bureau Filing System (IBFS) by searching for ITC-MOD-20070201-00057 and accessing the "Attachment Menu" from the Document Viewing area.

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Transfer of Control

Grant of Authority

Date of Action: 02/07/2007

**Current Licensee:** Impsat USA, Inc.**FROM:** Impsat Fiber Networks, Inc.**TO:** Global Crossing Limited

Application for consent to transfer control of international section 214 authorizations, ITC-214-19950717-00028 (Old File No. ITC-95-434), ITC-214-19970703-00372 (Old File No. ITC-97-399), and ITC-214-19980430-00286 (Old File No. ITC-98-342, authority to construct, acquire and operate capacity in the Americas-II Cable system on a common carrier basis, see also SCL-T/C-20061128-00011), held by Impsat USA, Inc. (Impsat USA), from Impsat Fiber Networks, Inc. (Impsat), to Global Crossing Limited (GCL). Pursuant to an October 25, 2006 agreement and plan of merger entered into by Impsat and GC Crystal Acquisition, Inc. (GC Crystal Acquisition), a newly established indirect, wholly-owned subsidiary of GCL, U.K. Holdco 2 will be established and will acquire all of the issued and outstanding shares of common stock of Impsat, constituting all of the voting and equity interest in Impsat. The acquisition will be consummated through a merger of GC Crystal Acquisition, a wholly-owned, direct subsidiary of U.K. Holdco 2, with and into Impsat, with Impsat emerging as the surviving corporation under its existing name and as an indirect, wholly-owned subsidiary of GCL. Impsat USA will then be an indirect, wholly-owned subsidiary of GCL.

Upon formation, U.K. Holdco 2 will be a wholly-owned subsidiary of U.K. Holdco 1, which in turn will be a wholly-owned subsidiary of Dutch Co., which will be 100% owned by Global Crossing Holding Limited (GC Holding), a 100% direct subsidiary of GCL. STT Crossing Ltd. (STT Crossing), a Mauritius holding company, holds a 56.5% interest in GCL; no other entity holds 10 percent or greater interest in GCL. STT Crossing is 100% owned by STT Communications Ltd (STT Communications), which in turn is 100% owned by Singapore Technologies Telemedia Pte Ltd (ST Telemedia), wholly-owned subsidiary of Temasek Holdings (Private) Limited (Temasek). U.K. Holdco 1 and U.K. Holdco 2 will both be established under the laws of the United Kingdom. Dutch Co. will be established under the laws of the Netherlands. GCL is a Bermuda entity. STT Communications, ST Telemedia and Temasek are all Singapore entities.

Applicants agree to be classified as dominant on the U.S.-Singapore and U.S.-Indonesia routes and agree to comply with the dominant carrier safeguards set forth in Section 63.10 of the Commission's rules, 47 C.F.R. § 63.10, for these two routes.

We grant the Petition to Adopt Conditions to Authorizations and Licenses (Petition) filed in this proceeding on February 1, 2007, by the United States Department of Justice (DOJ), including the Federal Bureau of Investigation (FBI), together with the United States Department of Homeland Security (DHS). Accordingly, we condition grant of this transfer of control on Global Crossing Limited abiding by the commitments and undertakings contained in the Network Security Agreement, dated September 24, 2003, between Global Crossing Ltd., GC Acquisition Limited, and Singapore Technologies Telemedia Pte Ltd, and the Federal Bureau of Investigation, the U.S. Department of Justice, the Department of Defense, and the Department of Homeland Security (September 24, 2003 Agreement) and Amendment 1 to the September 24, 2003 Agreement. The September 24, 2003 Agreement is publicly available in Global Crossing Ltd. (Debtor-in-Possession), Transferor, and GC Acquisition Limited, Transferee, Applications for Consent to Transfer Control of Submarine Cable Landing Licenses, International and Domestic Section 214 Authorizations, and Common Carrier and Non-Common Carrier Radio Licenses, and Petition for Declaratory Ruling Pursuant to Section 310(b)(4) of the Communications Act, IB Docket No. 02-286, Order and Authorization, 18 FCC Rcd 20301 (IB/WCB/WTB 2003). The Petition and Amendment 1 to the September 24, 2003 Agreement are publicly available in the record of this proceeding and may be viewed on the FCC web-site through the International Bureau Filing System (IBFS) by searching for ITC-T/C-20061128-00533 and accessing the "Attachment Menu" from the Document Viewing area.

This authorization is without prejudice to the Commission's action on any other related pending application(s).

**INFORMATIVE****ITC-214-20060608-00309**

YourTel America, Inc.

By letter dated January 9, 2007, Applicant notified the Commission that it changed its name from The Pager Company d/b/a The Pager & Phone Company to YourTel America, Inc., effective January 9, 2007.

**ITC-214-20061107-00505**

ImOn Communications, LLC

By letter dated January 5, 2007, Applicant notified the Commission that it changed its name from JB and SG Communications, LLC to ImOn Communications, LLC, effective January 5, 2007.

**SURRENDER****ITC-214-20001122-00754**

CI-CCI Acquisition Corporation

By letter dated January 19, 2007, Applicant notified the Commission of the Surrender of its international section 214 authorization, effective January 19, 2007.



## CONDITIONS APPLICABLE TO INTERNATIONAL SECTION 214 AUTHORIZATIONS

(1) These authorizations are subject to the Exclusion List for International Section 214 Authorizations, which identifies restrictions on providing service to particular countries or using particular facilities. The most recent Exclusion List is attached to this Public Notice. The list applies to all U.S. international carriers, including those that have previously received global or limited global Section 214 authority, whether by streamlined grant or specific written order. Carriers are advised that the attached Exclusion List is subject to amendment at any time pursuant to the procedures set forth in Streamlining the International Section 214 Authorization Process and Tariff Requirements, IB Docket No. 95-118, 11 FCC Rcd 12884 (1996), para. 18. A copy of the current Exclusion List will be maintained in the FCC Reference and Information Center and will be available at <http://www.fcc.gov/ib/td/pf/exclusionlist.html>. It also will be attached to each Public Notice that grants international Section 214 authority.

(2) The export of telecommunications services and related payments to countries that are subject to economic sanctions may be restricted. For information concerning current restrictions, call the Office of Foreign Assets Control, U.S. Department of the Treasury, (202) 622-2520.

(3) Carriers shall comply with the requirements of Section 63.11 of the Commission's rules, which requires notification by, and in certain circumstances prior notification by, U.S. carriers acquiring an affiliation with foreign carriers. A carrier that acquires an affiliation with a foreign carrier will be subject to possible reclassification as a dominant carrier on an affiliated route pursuant to the provisions of Section 63.10 of the rules. The Commission recently amended Section 63.11 of the rules in its Order on Reconsideration in IB Docket No. 97-142, 15 FCC Rcd 18158 (2000).

(4) Carriers shall comply with the Commission's International Settlements Policy and associated filing requirements contained in Sections 43.51 and 64.1001 of the Commission's Rules, 47 C.F.R. §§ 43.51, 64.1001. The Commission modified these requirements most recently in 2000 Biennial Regulatory Review, Policy and Rules Concerning the International, Interexchange Marketplace, FCC 01-93, released, March 20, 2001, 66 Fed. Reg. 16874 (Mar. 28, 2001). See also 1998 Biennial Regulatory Review - Reform of the International Settlements Policy and Associated Filing Requirements, IB Docket Nos. 98-148, 95-22, CC Docket No. 90-337 (Phase II), FCC 99-73 (rel. May 6, 1999). In addition, any carrier interconnecting private lines to the U.S. public switched network at its switch, including any switch in which the carrier obtains capacity either through lease or otherwise, shall file annually with the Chief, International Bureau, a certified statement containing, on a country-specific basis, the number and type (e.g., 64 kbps circuits) of private lines interconnected in such manner. The Commission will treat the country of origin information as confidential. Carriers need not file their contracts for interconnection unless the Commission specifically requests. Carriers shall file their annual report on February 1 (covering international private lines interconnected during the preceding January 1 to December 31 period) of each year. International private lines to countries for which the Commission has authorized the provision of switched basic services over private lines at any time during a particular reporting period are exempt from this requirement. See 47 C.F.R. § 43.51(d).

(5) Carriers authorized to provide private line service either on a facilities or resale basis are limited to the provision of such private line service only between the United States and those foreign points covered by their referenced applications for Section 214 authority. In addition, the carriers may not -- and their tariffs must state that their customers may not -- connect their private lines to the public switched network at either the U.S. or foreign end, or both, for the provision of international switched basic services, unless the Commission has authorized the provision of switched services over private lines to the particular country at the foreign end of the private line or the carrier is exchanging switched traffic with a foreign carrier that the Commission has determined lacks market power in the country at the foreign end of the private line. See 47 C.F.R. §§ 63.16, 63.22(e), 63.23(d). A foreign carrier lacks market power for purposes of this rule if it does not appear on the Commission list of foreign carriers that do not qualify for the presumption that they lack market power in particular foreign points. This list is available at [http://www.fcc.gov/Bureaus/International/Public\\_Notices/1999/da990809.txt](http://www.fcc.gov/Bureaus/International/Public_Notices/1999/da990809.txt). See generally 1998 Biennial Regulatory Review - Reform of the International Settlements Policy and Associated Filing Requirements, IB Docket Nos. 98-148, 95-22, CC Docket No. 90-337 (Phase II), FCC 99-73 (rel. May 6, 1999), paras. 12-15, 102-109.

(6) The Commission has authorized the provision of switched basic services via facilities-based or resold private lines between the United States and the following foreign points: Sweden, Canada, New Zealand, the United Kingdom, Australia, The Netherlands, Luxembourg, Norway, Denmark, France, Germany, Belgium, Austria, Switzerland, Japan, Italy, Ireland, Hong Kong, Iceland, Spain, Finland, Israel, Singapore, Netherlands Antilles, Poland, Argentina, United Arab Emirates, Macau, Hungary, Philippines, Greece, Uruguay, Brunei, Trinidad & Tobago, Czech Republic, the Dominican Republic, Brazil, Botswana, Costa Rica, South Africa, Saint Lucia, Saint Kitts & Nevis, Saint Vincent, Antigua, Malaysia, Thailand, Belize, Panama, Guatemala, Venezuela, Bahrain, South Korea, Portugal, Cyprus, Slovak Republic, Slovenia, Dominica, Grenada, Jamaica, Kuwait, Jordan, Paraguay, Croatia, Egypt, Zambia, Ecuador, Barbados, Colombia, Chile, El

Salvador, Taiwan, Nicaragua, Turkey, Peru, Morocco, Ghana, Bolivia, Guyana, Mongolia, Zimbabwe, Gambia, Nigeria, Bangladesh, Indonesia, Tunisia, Qatar, Oman, Mauritius, New Caledonia, Guinea, Suriname, and Fiji Islands.

(7) Carriers may engage in "switched hubbing" to countries for which the Commission has not authorized the provision of switched basic services over private lines consistent with Section 63.17(b) of the rules.

(8) Carriers may provide U.S. inbound or outbound switched basic service via their authorized private lines extending between or among the United States, Sweden, New Zealand, the United Kingdom, Australia, The Netherlands, Luxembourg, Norway, Denmark, France, Germany, Belgium, Austria, Switzerland, Japan, Italy, Ireland, Hong Kong, Iceland, Spain, Finland, Israel, Singapore, Netherlands Antilles, Poland, Argentina, United Arab Emirates, Macau, Hungary, Philippines, Greece, Uruguay, Brunei, Trinidad & Tobago, Czech Republic, the Dominican Republic, Brazil, Botswana, Costa Rica, South Africa, Saint Lucia, Saint Kitts & Nevis, Saint Vincent, Antigua, Malaysia, Thailand, Belize, Panama, Guatemala, Venezuela, Bahrain, South Korea, Portugal, Cyprus, Slovak Republic, Slovenia, Dominica, Grenada, Jamaica, Kuwait, Jordan, Paraguay, Croatia, Egypt, Zambia, Ecuador, Barbados, Colombia, Chile, El Salvador, Taiwan, Nicaragua, Turkey, Peru, Morocco, Ghana, Bolivia, Guyana, Mongolia, Zimbabwe, Gambia, Nigeria, Bangladesh, Indonesia, Tunisia, Qatar, Oman, Mauritius, and New Caledonia, Guinea, Suriname, and Fiji Islands.

(9) Carriers shall comply with the "No Special Concessions" rule, Section 63.14, 47 C.F.R. § 63.14.

(10) Carriers regulated as dominant for the provision of a particular communications service on a particular route for any reason other than a foreign carrier affiliation under Section 63.10 of the rules shall file tariffs pursuant to Section 203 of the Communications Act, as amended, 47 U.S.C. § 203, and Part 61 of the Commission's Rules, 47 C.F.R. Part 61. Except as specified in Section 20.15 with respect to commercial mobile radio service providers, carriers regulated as non-dominant, as defined in Section 61.3, and providing detariffed international services pursuant to Section 61.19 must comply with all applicable public disclosure and maintenance of information requirements in Sections 42.10 and 42.11. These non-dominant carriers may continue filing new or revised international tariffs for mass market services until January 28, 2002, when all tariffs, with limited exceptions, must be cancelled. Carriers may not file any new or revised contract tariffs or tariffs for other long-term international service arrangements. See 2000 Biennial Regulatory Review, Policy and Rules Concerning the International, Interexchange Marketplace, FCC 01-93, released March 20, 2001, 66 Fed. Reg. 16874 (Mar. 28, 2001).

(11) Carriers shall file the annual reports of overseas telecommunications traffic required by Section 43.61(a). Carriers shall also file the quarterly reports required by Section 43.61 in the circumstances specified in paragraphs (b) and (c) of that Section.

(12) Carriers shall file annual reports of circuit status and/or circuit additions in accordance with the requirements set forth in Rules for Filing of International Circuit Status Reports, CC Docket No. 93-157, Report and Order, 10 FCC Rcd 8605 (1995). See 47 C.F.R. §§ 43.82, 63.23(e). These requirements apply to facilities-based carriers and private line resellers, respectively. See also: <http://www.fcc.gov/ib/pd/pf/csmanual.html>

(13) Carriers should consult Section 63.19 of the rules when contemplating a discontinuance, reduction or impairment of service. Further, the grant of these applications shall not be construed to include authorization for the transmission of money in connection with the services the applicants have been given authority to provide. The transmission of money is not considered to be a common carrier service.

(14) If any carrier is reselling service obtained pursuant to a contract with another carrier, the services obtained by contract shall be made generally available by the underlying carrier to similarly situated customers at the same terms, conditions and rates. 47 U.S.C. § 203.

(15) To the extent the applicant is, or is affiliated with, an incumbent independent local exchange carrier, as those terms are defined in Section 64.1902 of the rules, it shall provide the authorized services in compliance with the requirements of Section 64.1903. See Regulatory Treatment of LEC Provision of Interexchange Services Originating in the LEC's Local Exchange Area and Policy and Rules Concerning the Interstate, Interexchange Marketplace, Second Report and Order in CC Docket No. 96-149 and Third Report and Order in CC Docket No. 96-61, 12 FCC Rcd 15756, recon., 12 FCC Rcd 8730 (1997), Order, 13 FCC Rcd 6427 (Com. Car. Bur. 1998), further recon., FCC 99-103 (rel. June 30, 1999).

(16) Except as otherwise ordered by the Commission, a carrier authorized here to provide facilities-based service that (i) is classified as dominant under Section 63.10 of the rules for the provision of such service on a particular route and (ii) is affiliated with a carrier that collects settlement payments for terminating U.S. international switched traffic at the foreign end of that route may not provide facilities-based service on that route unless the current rates the affiliate charges U.S. international carrier to terminate traffic are at or below the Commission's relevant benchmark adopted in International

Settlement Rates, IB Docket No. 96-261, Report and Order, 12 FCC Rcd 19806 (1997). See also Report and Order on Reconsideration and Order Lifting Stay in IB Docket No. 96-261, FCC 99-124 (rel. June 11, 1999). For the purposes of this rule, "affiliation" and "foreign carrier" are defined in Section 63.09.

Petitions for reconsideration under Section 1.106 or applications for review under Section 1.115 of the Commission's rules in regard to the grant of any of these applications may be filed within thirty days of this public notice (see Section 1.4(b)(2)).

For additional information, please contact the FCC Reference and Information Center, Room CY-A257, 445 12th Street SW, Washington, D.C. 20554, (202) 418-0270. People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

#### Exclusion List for International Section 214 Authorizations

-- Last Modified December 22, 1999 --

The following is a list of countries and facilities not covered by grant of global Section 214 authority under Section 63.18(e)(1) of the Commission's Rules, 47 C.F.R. § 63.18(e)(1). In addition, the facilities listed shall not be used by U.S. carriers authorized under Section 63.18 of the Commission's Rules unless the carrier's Section 214 authorization specifically lists the facility. Carriers desiring to serve countries or use facilities listed as excluded hereon shall file a separate Section 214 application pursuant to Section 63.18(e)(4) of the Commission's Rules. See generally 47 C.F.R. § 63.22.

#### Countries:

Cuba (Applications for service to Cuba shall comply with the separate filing requirements of the Commission's Public Notice Report No. I-6831, dated July 27, 1993, "FCC to Accept Applications for Service to Cuba.")

#### Facilities:

All non-U.S.-licensed satellite systems that are not on the Permitted Space Station List, maintained at <http://www.fcc.gov/ib/sd/se/permitted.html>. See International Bureau Public Notice, DA 99-2844 (rel. Dec. 17, 1999).

This list is subject to change by the Commission when the public interest requires. Before amending the list, the Commission will first issue a public notice giving affected parties the opportunity for comment and hearing on the proposed changes. The Commission may then release an order amending the exclusion list. This list also is subject to change upon issuance of an Executive Order. See Streamlining the Section 214 Authorization Process and Tariff Requirements, IB Docket No. 95-118, FCC 96-79, 11 FCC Rcd 12,884, released March 13, 1996 (61 Fed. Reg. 15,724, April 9, 1996). A current version of this list is maintained at <http://www.fcc.gov/ib/pd/pf/telecomrules.html#exclusionlist>.

For additional information, contact the International Bureau's Policy Division, (202) 418-1460.